

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

REBECCA E. CAHOON ET AL. CASE NO.: BB1294 USDIV

SERIAL NO.: UNKNOWN GROUP ART UNIT: UNKNOWN

FILED: CONCURRENTLY HEREWITH EXAMINER: UNKNOWN

FOR: PLANT MYB TRANSCRIPTION FACTOR

HOMOLOGS

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents Washington, DC 20231

Sir:

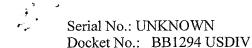
Before examination on the merits, please amend the above-referenced application as follows:

IN THE CLAIMS

Cancel claims 1-16.

Please add the following new claims:

- 17. An isolated polynucleotide comprising:
- (a) a nucleotide sequence encoding a polypeptide having Myb-related transcription factor activity, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:36 have at least 80% sequence identity based on the Clustal alignment method, or
- (b) the complement of the nucleotide sequence, wherein the complement and the nucleotide sequence contain the same number of nucleotides and are 100% complementary.
- 18. The polynucleotide of claim 17, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:36 have at least 85% sequence identity based on the Clustal alignment method.
- 19. The polynucleotide of claim 17, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:36 have at least 90% sequence identity based on the Clustal alignment method.
- 20. The polynucleotide of claim 17, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:36 have at least 95% sequence identity based on the Clustal alignment method.



- 21. The polynucleotide of claim 17, wherein the nucleotide sequence comprises the nucleotide sequence of SEQ ID NO:35.
- 22. The polynucleotide of claim 17, wherein the polypeptide comprises the amino acid sequence of SEQ ID NO:36.
 - 23. A vector comprising the polynucleotide of claim 17.
- 24. A recombinant DNA construct comprising the polynucleotide of claim 17 operably linked to a regulatory sequence.
- 25. A method for transforming a cell comprising transforming a cell with the polynucleotide of claim 17.
 - 26. A cell comprising the recombinant DNA construct of claim 24.
- 27. A method for producing a plant comprising transforming a plant cell with the polynucleotide of claim 17 and regenerating a plant from the transformed plant cell.
 - 28. A plant comprising the recombinant DNA construct of claim 24.
 - 29. A seed comprising the recombinant DNA construct of claim 24.
- 30. A method for isolating a polypeptide encoded by the polynucleotide of claim 17 comprising isolating the polypeptide from a cell containing a recombinant DNA construct comprising the polynucleotide operably linked to a regulatory sequence.
- 31. An isolated polynucleotide comprising a first nucleotide sequence, wherein the first nucleotide sequence contains at least 60 nucleotides, and wherein the first nucleotide sequence is comprised by another polynucleotide, wherein the other polynucleotide includes:
 - (a) a second nucleotide sequence, wherein the second nucleotide sequence encodes a polypeptide having Myb-related transcription factor activity, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:36 have at least 80% sequence identity based on the Clustal alignment method, or
 - (b) the complement of the second nucleotide sequence, wherein the complement and the second nucleotide sequence contain the came number of nucleotides and are 100% complementary.

REMARKS

Claims 1-16 have been cancelled, and claims 17-31 have been added. Claims 17-31 are pending. This application is a divisional of U.S application serial No. 09/452,244 in which Group I R is hereby elected.

Support for the sequence identities recited in the claims is found in Table 6, page 27 of the specification. Support for claims 27-29 is found in Examples 4 and 5, pages 28-31 of the

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specification. Support for claim 30 is found in the second paragraph on page 19 of the specification. Support for claim 31 is found in the paragraph bridging pages 3 and 4 of the specification.

Please charge any necessary fee to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company).

In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,

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Dated: December 13, 2001